

**MINUTES**  
**UTAH**  
**SUBSTANCE ABUSE COUNSELORS**  
**BOARD MEETING**

**June 13, 2007**

**Room 402 – 4<sup>th</sup> Floor – 9:00 A.M.**  
**Heber Wells Building**  
**Salt Lake City, UT 84111**

**CONVENED:** 9:05 A.M.

**ADJOURNED:** 12:00 P.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Shawn M. McMillen, Chairperson  
Stephen R. Sheppard, Ph.D.  
Linda Cornaby  
Kelly J. Lundberg, Ph.D.

**Board Members Absent:**

Ronald Wilkey  
Joel Millard, DSW  
Patrick J. Fleming

**Guests:**

Dave Felt

**DOPL Staff Present:**

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

**MINUTES:**

The minutes from the May 2, 2007 meeting will be read and approved at the November 7, 2007 Board meeting.

**APPOINTMENTS:**

**8:30 A.M. to 12:00 P.M.**  
Rules Review

Ms. Taxin stated that she had asked the Board members to review the new Law and the current Rules and submit to her as soon as possible any areas in the Rules that they identified requiring a change. She stated that she also asked for language for the identified areas. Ms. Taxin stated she received no

responses except that Dr. Sheppard responded by saying he did not have time prior to this meeting. She stated that her staff have identified an area in the new Law that is written incorrectly.

**Dr. Lundberg asked if Dave Felt has written anything for the Rules.**

Ms. Taxin explained that Mr. Felt is part of the Association and responsible for writing the Law. She stated that the Board and the Division are responsible to write the Rules. Ms. Taxin stated that she could write the Rules but there are some areas that she needs the help of the Board for better clarification. She stated that she looked into the language of Nevada and Arizona for ideas and some language. Ms. Taxin stated that both States allow the Substance Abuse Counselors to practice mental health therapy, which is a different scope of practice than Utah. She stated that she did find a definition for supervision.

**Dr. Sheppard asked Ms. Taxin to point out the area in the New Law that is written incorrectly.**

Ms. Taxin referred the Board to 58-60-508(1) and (2). She explained that 58-60-508(1) requires the supervisor of a Licensed Substance Abuse Counselor (LSAC) to be a licensed mental health therapist qualified by education and experience to treat substance abuse and 58-60-508(2) requires the supervisor of the Certified Substance Abuse Counselor (CSAC), Certified Substance Abuse Counselor Intern (CSACI) or Certified Substance Abuse Counselor Extern (CSACE) to be licensed as a Substance Abuse Counselor. Ms. Taxin stated that the intent was for a mental health therapist to be the supervisor of the LSAC and/or the CSAC, the CSACI and the CSACE and for the LSAC to be able to supervise the CSAC, CSACI and the CSACE. Ms. Taxin stated that this was brought to her attention when an LCSW called asked if they had to be licensed as the LSAC in addition to the LCSW to supervise all levels of Substance Abuse Counselors. Ms. Taxin stated that she will try to make the change as a non-substantive change so that the Law does not have to go through the 2008 Legislative session. She stated that if it is a

substantive change then the Law will have to be opened up again for the change to be made.

Ms. Taxin stated that the issue might be corrected by changing the title from “Core functions of the mental health therapist supervisor” to read “Core functions of the Supervisor” or have the mental health therapist and the LSAC supervisors sign the verification of supervised experience form.

Mr. Felt stated that the previous Law required a mental health therapist to be the supervisor and they supervised only the LSAC as there was no other level of licensure. He explained that the new Law has several levels of licensing and the day to day supervision of the CSAC, CSACI and the CSACE could be done by the LSAC as they know the language.

Ms. Taxin asked if the intent is that the LSAC must be supervised by the mental health therapist and the CSAC, CSACI and the CSACE may be supervised by the mental health therapist or an LSAC.

**The Board responded that Ms. Taxin is correct and requested that 58-60-508. Core functions of the mental health therapist supervisor be changed to Core functions of the supervisor.**

Ms. Taxin stated that she identified that under 58-60-502. Definitions will need to have a definition for General Supervision. She stated that there is a definition for Direct Supervision.

**Mr. McMillen stated that the LSAC works under general supervision of the mental health therapist. He stated that the LSAC is the one who provides direction to most of the activities. Mr. McMillen stated that everyone reports to the LSAC and the LSAC reports to the mental health therapist.**

Ms. Taxin clarified that the mental health therapist is the ultimate responsible person. She stated that the mental health therapist is the person who signs as the supervisor on the verification of experience forms that are submitted with the application for licensure.

Mr. Felt stated that he would prefer the LSAC to do the supervision and they are better trained and know the scope of practice of a Substance Abuse Counselor.

Ms. Taxin again stated that on the day to day basis the LSAC may train and supervise but the mental health therapist is the responsible person.

Ms. Taxin stated that Nevada and Arizona do not use the term general supervision. She read a definition and asked if the Board would accept similar language for general supervision.

**Dr. Lundberg responded that individual supervision is individual face to face with the supervisor. She stated that general supervision would be more staffing meetings and discussion for the LSAC.**

Ms. Taxin stated that the Rule has to be specific regarding the requirement or it is not a requirement. She asked if general supervision should be required once a month.

**Dr. Lundberg responded that general supervision should not require meeting together once a month.**

Ms. Taxin commented that the LSAC supervisor is supervising several LSAC's and the Board does not think they should meet at least once a month.

**Dr. Lundberg responded that the LSAC's and supervisor's do meet several times a month for staffing meetings, informational meetings, etc. She stated that the mental health therapist writes the treatment plans, signs off on the treatment plans and reviews them so they are on a regular basis but that requiring in Rule to report would not be a good idea.**

Ms. Taxin stated that the new Law has opened up the supervision and she is afraid the LSAC's will be working beyond their scope of practice.

Mr. Felt stated that the LSAC operates under the

general supervision of the mental health therapist and don't need to meet once a week.

**Mr. McMillen read the current definition of general supervision in the Mental Health Therapy Act Rules under R156-60-102(4) which reads "General supervision" means that the supervisor is available for consultation with the supervisee by personal face to face contact, or direct voice contact by telephone, radio, or some other means within a reasonable time consistent with the acts and practices in which the supervisee is engaged."**

**Dr. Lundberg recommended this language be used in the LSAC specific Rules for General Supervision.**

Ms. Taxin requested the Board to review 58-60-502(9) regarding the "Substance abuse education program".

Mr. Felt recommended the Board review the current Rules under R156-60-302a(1) regarding the education required for licensing. He recommended Ms. Taxin review all the references in this section as 58-60-505 is no longer an appropriate reference as it refers to Qualifications for licensure prior to July 1, 1998 and that time has passed. He stated that 58-60-505 was taken out of the new Law.

Ms. Taxin stated that this is another error in the new Law and should be deleted. She stated that she will need to involve Mr. Walker, the Regulation and Compliance officer for the Division, to be sure if the enrolled copy of the new Law is accurate and the one we should be referring to as we review or if the website copy is accurate as they are written differently.

Mr. Felt recommended the education be broken down in the Rules to reflect the specific requirements for each level of licensing.

**Mr. McMillen responded that breaking down the requirements would simplify and be clear for the applicants.**

**Mr. McMillen asked the Board to review definition R156-60d-102(9) regarding “SASSI” means Substance Abuse Subtle Screening Inventory”.**

**The Board responded that this definition is appropriate.**

Ms. Taxin moved on to R156-302(a), Qualifications for licensure.

**The Board responded that revisions were previously recommended.**

Mr. Felt stated that the current Rules have items that are no longer needed. He stated that if everyone is required to have a specific education of 300 hours and a 300 hour practicum it is probably not needed to specify what the program is.

Ms. Taxin responded that it might be helpful to correct the Law and then go back and review the Rules again.

Mr. Felt recommended completing the review of the Rules to identify what does not apply and can be deleted.

**Dr. Sheppard stated that the graduate program was aware of licensing requirements and built in their program based on the requirements.**

**Dr. Lundberg stated that if the new Law has the information then the Board needs to be sure the Rules address the pertinent issues. She asked if the Board really requires 10 clock hours of training in each of specific areas.**

Mr. Felt responded that he believes the 12 core areas should be required. He also questioned if the requirement should remain at 10 clock hours of training in each of specific areas. He asked if the application would be denied if the training program only gives 7 hours or 2 hours in some of the areas.

**The Board responded that if the requirement is for 10 clock hours of training in specific areas then the applicant must have 10 clock hours of training in**

**each area.**

Ms. McCall asked which section provides for the continuing education (CE) requirement.

Mr. Felt responded that 58-60-105 of the Mental Health Practice Act provides for the CE requirement. He stated that he is not against requiring CE but if applicants are getting training for licensure they are getting education along with experience. He stated that it would simplify the Rules if CE was not required.

Ms. Taxin asked if the LSAC or CSAC should or should not be required to obtain CE.

**Dr. Lundberg responded that CE is part of being a professional. She recommended the CE continue to be required.**

Ms. Taxin recommended that only the LSAC and CSAC be required to complete CE.

**Dr. Lundberg recommended the LSAC and CSAC be required to complete CE as a condition for renewal or reinstatement of licensure.**

Mr. Felt suggested the application have a section in the LSAC application for the CSAC to sign that they have completed CE requirements. He stated that the CSAC license should be a 2 year license with a renewal.

Ms. Taxin asked if the CSAC Extern license may be reinstated if an individual starts the program and drops out of some reason and then later returns to complete the program.

Mr. Felt responded that the Extern license is for someone who is coming from another State. He stated that the Board could recommend reinstatement of the Extern license but it is specifically for a 2 year period maximum so that individuals do not become an Extern and then practice for an unlimited number of years. He reminded the Board that the Extern license ends in 2010 as it was intended for those people who have started the experience program and have no education

time to complete education requirements.

Ms. Taxin asked what the scope of practice for the Extern should be.

Mr. Felt responded that the new Law defines the scope of practice for the Extern.

Ms. Taxin requested the Board to review again R156-60d-302a and 302b regarding the education requirements.

**Mr. McMillen stated that ACE accreditation is renewed annually.**

Mr. Felt stated that the supervision is 1 hour of supervision for every 40 hours worked. He asked if the Board really wants the supervision kept at that ratio.

**Mr. McMillen responded that most of the Wasatch Front meets more about 1 hour for every 20 hours worked. He stated that the Wasatch Front has resources that the rural areas do not have which makes it easier to meet more frequently. Mr. McMillen stated that the Rules should be clear to assure the supervisor is meeting with those they supervise.**

**Dr. Sheppard stated that if the supervisor has to plan their time to meet and is required to report that meeting it will be more meaningful for both parties. He stated that the interns are stressed and the supervisor should be taking care of the intern in terms of their development.**

Mr. Felt recommended he and Ms. Taxin meet to review the new Law and the proposed Rules and maybe start the process for a new application prior to the Board meeting again for another review.

Ms. Taxin stated that she will contact the Board after she makes the recommended revisions in the Rules regarding another meeting and review.

## **DISCUSSION ITEMS:**

### Update on status of Melissa Zahn

Ms. Taxin stated that Ms. Zahn sent a letter documenting meeting with her Doctor who gave her permission to return to work full time with light duty. She stated that Ms. Zahn's role has changed at her employment with her regular duties and also doing marketing, insurance and out-reach duties. Ms. Taxin stated that Paul Ricks reported Ms. Zahn has been prescribed Valium and Percocet if needed in addition to her regular prescription for her thyroid condition. She stated that Ms. Zahn will be meeting again with the Board on November 7, 2007 as the Board had requested the August 8, 2007 meeting be cancelled.

**Dr. Lundberg responded that it is interesting that Ms. Zahn's job changed after her supervisor, Jon Scheffres, met with the Board.**

Ms. Taxin commented that maybe the employment change is due to Ms. Zahn being unable to sit, stand or walk for extended periods and Mr. Scheffres is working with her.

### Update of Status of Joanie Jones

Ms. Taxin stated that Ms. Jones has called Ms. McCall several times and has said that she is to meet every 6 months. Ms. Taxin stated that Ms. Jones and Ms. McCall went back and forth several times with Ms. McCall informing Ms. Jones that she can not just change from meeting every 3 months to meeting every 6 months. She stated that Ms. McCall explained to Ms. Jones that she will need to submit a formal written request for the change and the Board will review the request and act upon it. Ms. Taxin stated that Ms. Jones submitted a formal request for her appointments to be changed from every 3 months to meeting every 6 months. Ms. Taxin stated that the Board will need to address the request. Ms. Taxin stated that the Board may recommend changing the appointments from 3 months to 6 months and then the Order will need to be amended. Ms. Taxin reminded the Board that Ms. Jones Order was amended at the May meeting to terminate the requirement of drug testing. Ms. Taxin also reminded the Board that the August meeting is being cancelled and the next meeting will be in November so it will be 6 months between Ms. Jones

appointments. She asked the Board if they want to address the request now or wait until the November meeting. Ms. Taxin stated that she would be more comfortable with continuing the quarterly appointments at this time.

**Dr. Lundberg responded that she is uncomfortable changing Ms. Jones appointments from every 3 months to every 6 months at this time. She stated that the Board meetings are cancelled periodically so the appointments have been less frequent than quarterly.**

Ms. Taxin stated that Ms. Jones' has not yet completed half of her probation.

**Mr. McMillen commented that Ms. Jones has worked hard on her probation. He stated that she is also going to school which is stressful for her. Mr. McMillen stated that Ms. Jones employment at First Step House is stressful but she does her job well. He stated that he agrees with Dr. Lundberg that the Board needs to continue to monitor her quarterly.**

**Dr. Sheppard stated that he agreed with Dr. Lundberg and Mr. McMillen that the Board needs to continue to monitor Ms. Jones quarterly.**

Ms. Taxin stated that she will notify Ms. Jones that her request will be addressed at a later date.

FYI

The Board requested the August 8, 2007 meeting be cancelled. The next scheduled meeting is for November 7, 2007.

**NEXT MEETING SCHEDULED FOR:**

November 7, 2007

**ADJOURN:**

The time is 12:00 pm and the meeting is adjourned.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

July 25, 2007  
Date Approved

(ss) Shawn M. McMillen  
Chairperson, Utah Substance Abuse Counselors  
Licensing Board

June 27, 2007  
Date Approved

(ss) Noel Taxin  
Bureau Manager, Division of Occupational &  
Professional Licensing